

**MINUTES OF THE MAPLEWOOD PLANNING COMMISSION
1830 COUNTY ROAD B EAST, MAPLEWOOD, MINNESOTA
TUESDAY, AUGUST 18, 2015**

1. CALL TO ORDER

A meeting of the Commission was held in the City Hall Council Chambers and was called to order at 7:00 p.m. by Acting Chairperson Tripler.

2. ROLL CALL

Paul Arbuckle, Chairperson	Absent
Frederick Dahm, Commissioner	Present
Tushar Desai, Commissioner	Present
John Donofrio, Commissioner	Present
Allan Ige, Commissioner	Present
Bill Kempe, Commissioner	Present
Dale Tripler, Vice Chairperson	Present

Staff Present: Michael Martin, Economic Development Coordinator

3. APPROVAL OF AGENDA

Commissioner Desai moved to approve the agenda as submitted.

Seconded by Commissioner Kempe. Ayes – All

The motion passed.

4. APPROVAL OF MINUTES

Commissioner Kempe moved to approve the July 21, 2015, PC minutes as submitted.

Seconded by Commissioner Dahm. Ayes – Commissioner Dahm, Desai, Ige, Kempe & Tripler

Abstention – Commissioner Donofrio

The motion passed.

5. PUBLIC HEARING

a. 7:00 p.m. or later: Consideration of Vacation of Public Easement, Jack Schwartz, 2105 English street North

- i. Economic Development Coordinator, Michael Martin gave the report on the Consideration of Vacation of Public Easement for Jack Schwartz, 2105 English Street North.
- ii. The applicant, Jack Schwartz, 2105 English Street North addressed the commission about his request for the Vacation of Public Easement.

Acting Chairperson Tripler opened the public hearing.

Nobody came forward to address the commission.

Acting Chairperson Trippler closed the public hearing.

Commissioner Ige moved to adopt the resolution vacating the drainage and utility easement, since:

1. It is in the public interest.
2. There are no utilities located in the easement and it is not being utilized.
3. This vacation is conditioned upon the following:

1. The applicant meets all and any conditions within Steve Love's July 30, 2015 report.

Seconded by Commissioner Dahm.

Ayes - All

The motion passed.

This item goes to the city council on September 14, 2015.

b. 7:00 p.m. or later: Consideration of Comprehensive Plan Amendment, Planned Unit Development Revision, Public Easement Vacations and Lot Division, Conifer Ridge Apartments, County Road D East, between Hazelwood Street North and Kennard Street

- i. Economic Development Coordinator, Michael Martin gave the presentation for the Conifer Ridge Apartments, County Road D East, between Hazelwood Street North and Kennard Street.
- ii. Public Works Director, Michael Thompson addressed and answered questions of the commission.
- iii. The applicant, owner, manager, Conifer Ridge Apartments LLC, Peter Stalland addressed and answered questions of the commission.
- iv. The architect, Urban Studio, Teresa McCormak, addressed and answered questions of the commission.

Acting Chairperson Trippler opened the public hearing.

1. Suzanne Fry, 3060 Cottage Lane, Maplewood, addressed the commission and she is against the proposal. Ms. Fry doesn't approve of many things including the tree removals or the number of trees they plan to replace. Ms. Fry has concerns about the screening, environmental concerns, traffic, noise, lighting standards, construction hours, landscaping, fencing, trail system. This is a large impact, she appreciates the staff reports, but she wants more studies done and wants the land treated with respect.
2. Jennifer Newton, 1683 Village Trail East, #3, Maplewood, addressed the commission against the proposal. Most people are homeowners not renters in the area. This development would block the view of the people that live there currently. Having this development built as rentals may be harder for homeowners to sell their properties. She has concerns about traffic and safety concerns. She has concerns about the power lines. People in the area are invested in the community and take pride as homeowners and this does affect home values negatively and the perception as pride in being a homeowner verses being a renter and there is a concern of additional traffic in the area.
3. Sarah Hackworthy, 1613 Legacy Parkway East, Unit 5, Maplewood addressed the commission against the proposal. Ms. Hackworthy sent a lengthy letter which she handed out to the commission. As a community they feel this is not a good fit for this area. This is a setback to the area. It steals the beautiful views, the neighborhood is against this project, as a community they are saying no to this proposal, it saturates the market with cheaper housing options, it causes vehicular and population disruption, and it decreases the noise buffer

between the homes and the freeway. With other home owners she is concerned about her property value. It is unrealistic that there will only be one car for a one bedroom. She is concerned about where more parking is going to go and that they have to look at more parking spaces in a parking lot. This is an attractive site and this project will in no way benefit the neighbors. The homeowners paid more for these views and to be in this location. If this project was in your front yard you would find that this proposal would negatively impact your neighborhood too. There will be greater demand to live in a neighborhood without rental units in the neighborhood. The neighborhood would like to keep the wetlands and the area as it is. At the very least they would like to see something that won't negatively destroy the area. She would like this plan to be denied and to wait for the right plan.

4. Rachael Houle, 1599 County Road D East, Unit K, Maplewood, addressed the commission against the proposal. One of the main reasons she purchased this home was for the view and for the area and feels this will be overcrowded and a bad idea.
5. Les Koutela, 3003 Hazelwood, Unit number unknown, Maplewood, He is against this project and feels the developer is trying to crowd too many people into a small area. It will be overcrowded with cars and there will be visitors and he is against the proposal.
6. Kannan Venkatesan, 1573 Legacy Parkway Unit 1, Maplewood. He opposes this proposal. He comes from India and he lives in a community the view is gone and his other neighbors he is concerned about the home values and the safety of the children. He is against this proposal.

Acting Chairperson Trippler closed the public hearing.

Commissioner Kempe moved to **deny** the resolution approving the comprehensive land use plan amendment from MDR (medium density residential) to HDR (high density) for the 12.5-acre parcel in Legacy Village. Approval is based on the following reasons:

1. The proposed development is compatible in density and in character with the adjacent residential developments.
2. A goal of the Maplewood 2030 Comprehensive Plan is to strive for a variety of housing types for people of all stages of the life cycle.

This action is subject to the approval of a comprehensive plan amendment by the Metropolitan Council.

Commissioner Kempe moved to **deny** the resolution approving a revision to the Legacy Village planned unit development as it relates to the previously-approved rental townhomes and executive office suites and clubhouse sites. Approval of this revision is based on the findings required by the ordinance and subject to the following conditions (additions are underlined and deletions are crossed out):

There are a long list of conditions but because the motion died for a lack of a second they are not listed here.

Acting Chairperson Trippler stated he wanted to add language to condition b. 6. e. changing the square footage of the studio apartments from 544 square feet to **580** square feet.

Acting Chairperson Trippler moved to approve the resolution approving the comprehensive land use plan amendment from MDR (medium density residential) to HDR (high density) for the 12.5-acre parcel in Legacy Village. Approval is based on the following reasons:

1. The proposed development is compatible in density and in character with the adjacent residential developments.
2. A goal of the Maplewood 2030 Comprehensive Plan is to strive for a variety of housing types for people of all stages of the life cycle.

This action is subject to the approval of a comprehensive plan amendment by the Metropolitan Council.

Acting Chairperson Trippler moved to approve the resolution approving a revision to the Legacy Village planned unit development as it relates to the previously-approved rental townhomes and executive office suites and clubhouse sites. Approval of this revision is based on the findings required by the ordinance and subject to the following conditions (additions are underlined and deletions are crossed out): **Commission Additions are in bold.**

1. The development shall follow the plans date-stamped ~~May 11, 2006~~ August 7, 2015, except where the city requires changes. The director of ~~community development~~ environmental and economic development may approve minor changes.
2. The proposed construction must be substantially started within one year of council approval or the permit shall end. The council may extend this deadline for one year.
3. The city council shall review this permit in one year.
4. The applicant shall comply with the requirements in the engineer's report dated ~~June 1, 2006~~ August 10, 2015 and the environmental report dated August 12, 2015.
5. ~~The applicant shall provide a copy of the homeowner's association documents to staff for approval.~~
5. Prior to the issuance of a grading permit, the applicant must contribute \$20,000 to the city's tree preservation fund in order to comply with city ordinance.
6. The following changes are hereby made to the approved PUD conditions: ~~Rental Townhomes and Office/Clubhouse~~ Apartments:
 - a. The project will be constructed according to the plans from ~~Hartford Group dated 6/2/03~~ dated August 7, 2015 in all details, except as specifically modified by these conditions;
 - b. ~~A sidewalk will be provided continuously on the north or west side of Street A between Kennard Street and Hazelwood Drive, including the segment between the office/clubhouse parking lot and townhome buildings 11 and 12;~~
 - c. ~~Sidewalk connections will be added connecting the power line trail to the curb of Street A opposite townhome buildings 6 and 8.~~
 - d. ~~The sidewalks service the fronts of townhome buildings 13, 16, 17, 18, 19, and 20 will be extended south to connect with the power line trail;~~
 - e. ~~Street B and Street C serving the townhomes will be constructed in their entirety with the townhomes, regardless of the status of the multi-family and commercial parcels to the east;~~

- ~~f. Parking spaces will be provided at the ends of the driveways at the rear of buildings 1, 2, 3, 4, 13/14, 15/16, 17/18, 19/20, 21/22, 23/24, 25/26. Sidewalks will be provided from these parking spaces to the front sidewalks of each building;~~
- ~~g. The infiltration trenches on the south sides of buildings 13/14, 15/16. And 19/20 will be modified to accommodate a revised alignment for the power line trail, provided that reasonable grades are provided for the trail and any sidewalks connecting to it, and approval of the city engineer concerning the size and function of the trenches;~~
- ~~h. A 6' wide sidewalk should be provided if at all possible on the south side of County Road D for the entire length of the project from Hazelwood Drive to Southlawn Drive, through continued discussion between the city and Hartford, focusing on exact sidewalk width, location, and right of way needs for turn lanes and other features of the County Road D project;~~
- ~~i. A sidewalk will be provided on the south side of County Road D and sidewalks will be provided out to that sidewalk from the north side of buildings 1, 4, 21, 22, 23, 24, and 25, as well as to the clubhouse front entry and the clubhouse parking lot;~~
- ~~j. The grades of the power line trail and all sidewalks will meet ADA guidelines for slope;~~
- b. Overstory trees will be planted along Hazelwood Street and Kennard Street at an average of 30'- 40' on center instead of the average 70' spacing shown on the plans;
- c. ~~Overstory trees will be planted along both sides of Street B and on the west side of Street C at an average of 30'—40' on center instead of sometimes 100' spacing shown on the plans, such additional tree islands to be coordinated with modified parking bays that might be added to this street;~~
- d. ~~Overstory trees will be planted along both sides of Kennard Street in front of the townhomes at an average of 30'—40' on center instead of the average 50'—80' spacing shown on the plans;~~
- e. ~~The curve in the middle of Street A opposite buildings 10 and 12 will be flattened as much as possible to limit headlights aimed into the front of the units;~~
- f. ~~Front building setbacks (clubhouse and buildings 1, 4, 5, 14, 15, 21, 22, 23, 24, 25, and 26) to Hazelwood Drive, Kennard Street, and County Road D that are less than required by the Zoning Code are specifically approved within this PUD as shown on the site plan, down to the minimum of 5' for the clubhouse and 15' for the townhome buildings, in order to enhance the urban character of the streets and intersections;~~
- g. ~~Side yard building setbacks for all buildings that are less than required by the Zoning Code are specifically approved within this PUD as shown on the site plan;~~
- c. Visitor parking spaces for the rental townhomes apartments will be added or modified as follows:
 - i. ~~Parking spaces will be added so there is a total of at least 48 spaces on the west side of Kennard and at least 51 spaces on the east side of Kennard, such that the front door of no unit is more than 200 feet from a group of at least 5 spaces~~ 75 spaces to serve all three buildings.

- ~~ii. Street A will be widened to 26' curb to curb and on street parallel parking will be added along the north and west sides of the street except for within 100' of the pavement of Hazelwood Drive and Kennard Street.~~
- ~~iii. The private drive immediately south of buildings 2 and 3 will be widened to 26' curb to curb and on street parallel parking will be added along the north side of the drive.~~
- ~~iv. Parking areas will be added behind buildings 1 and 4 where the driveway abuts the ponding area, consistent with the recommendation of the city engineer on providing adequate grading and functioning of the pond.~~
- ~~v. Parking areas will be added behind buildings 15/16, 19/20, 21/22, and 25/26 to meet the parking and distance criteria cited here.~~
- ~~vi. Street B will be widened to 26' curb to curb and parallel parking will be added along the north and west sides of the street or additional angled parking will be added to meet the criteria for parking spaces cited here.~~
- ~~d. The parking lot for the clubhouse/office building will be modified to add "proof of parking" spaces in the green area north and east of the swimming pool, for a total of 91 spaces possible in the lot. Such spaces will only be constructed if the owner believes they are needed, or if they are needed in the future to address parking problems at the building in the opinion of the community development director, who can order the spaces to be constructed. Such spaces will maintain a sidewalk connection between the swimming pool and clubhouse building in an island in the middle of the parking bays as shown on the plans;~~
- d. The storage space areas of each building shall be reconfigured to allow as many units as possible to have at least 120 cubic feet for storage.
- e. One studio apartment is allowed in each building with a minimum floor area of **544 580** square feet.
- f. An easement over the power line trail on this parcel will be provided to the city for access and maintenance.

Acting Chairperson Trippler moved to adopt the resolution vacating two storm sewer easements on this site, since:

1. The easements would serve no public purpose after the applicant redevelops the property into Conifer Ridge.

This vacation is conditioned upon the following:

1. Provide the city with legal descriptions of the easement areas to be vacated and for the new areas to be dedicated for storm sewer purposes.
2. The applicant meets all and any conditions within Jon Jarosch's August 10, 2015 report.

Acting Chairperson Trippler moved to approve the lot division for Conifer Ridge, subject to the following conditions:

1. The applicant shall comply with the requirements in the city's engineering report dated August 10, 2015.

2. The applicant shall sign a developer's agreement with the city engineer before the issuance of a grading permit.
3. The applicant shall dedicate any easements and provide any written agreements that the city engineer may require as part of this lot division.
4. The applicant shall pay the city escrow for any documents, easements and agreements that the city engineer may require.

Seconded by Commissioner Ige.

Ayes – Acting Chairperson Trippler,
Commissioner's Dahm,
Desai, Donofrio & Ige

Nay – Commissioner Kempe

The motion passed.

Commissioner Kempe said he voted nay because he has concerns about the lack of parking in the development, he has concerns about the traffic and there are 66 people who wrote in opposition to the project and those who came to speak against the meeting tonight. He believes a project with less density would be better for the neighborhood.

Chairperson Trippler said there were 407 notices sent out to the surrounding residents and around 70 people responded. Either people are ok with the proposal or they didn't care to reply or attend the meeting to voice their concerns about this proposal. Acting Chairperson Trippler said it's not that the resident's opinions are not important but 82% did not say anything about the proposal. The planning commission makes the recommendation to the city council and the council will make the final decision at the September 14, 2015 city council meeting. If you have concerns about the cost or the traffic you need to find somebody who is a recognized expert to talk about those things at the city council meeting.

This item goes to the city council on September 14, 2015. Commissioner Kempe will be the PC representative.

6. NEW BUSINESS

None.

7. UNFINISHED BUSINESS

a. Consideration of Ordinance Amendment to Allow Temporary Outdoor Sales in BC (business commercial) Zoning District

- i. Economic Development Coordinator, Michael Martin gave the report on the ordinance amendment to allow temporary outdoor sales in BC zoning district.

Acting Chairperson Trippler moved to approve the consideration of ordinance amendment to allow temporary outdoor sales in BC (business commercial) zoning district to **6 months**.

Seconded by Commissioner Dahm.

Ayes - All

The motion passed.

This item goes to the city council on August 24, 2015. Commissioner Donofrio will be the PC representative at that meeting.

8. VISITOR PRESENTATIONS

None.

9. COMMISSION PRESENTATIONS

- a. July 27, 2015 city council meeting – staff reported
 - 2016 – 2010 Capital Improvement Plan which was approved.
 - Resolution of Appreciation for Al Bierbaum which was approved.
- b. August 10, 2015 City Council Meeting – Commissioner Dahm
 - 1870 East Shore Drive, Planned Unit Development Revision which was approved.
- c. August 24, 2015 City Council Meeting – Commissioner Donofrio – staff will cover since it's a short item of discussion
 - Ordinance Amendment to Allow Temporary Outdoor Sales in BC (business commercial) Zoning District
- d. September 14, 2015 City Council Meeting – Commissioner Kempe
 - Conifer Ridge Apartments, County Road D East
 - Vacation of Public Easement, Jack Schwartz, 2105 English Street North

10. STAFF PRESENTATIONS

None.

11. ADJOURNMENT

Acting Chairperson Trippler adjourned the meeting at 8:35 p.m.